

# CITY OF BLOOMINGTON



October 31, 2018 @ 2:00 p.m.  
CITY HALL -  
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON  
HEARING OFFICER  
October 31, 2018 at 2:00 p.m.

\*Kelly Conference Room #155

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**PETITIONS:**

CU-35-18

**Dane Crowder**

800 E. Grimes Lane

Request: Conditional Use approval to allow an accessory dwelling unit (ADU) in a detached structure.

*Case Manager: Eric Greulich*

**\*\*Next Meeting: November 14, 2018**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or E-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).*

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**Location: 800 E. Grimes Lane**

**CASE #: CU-35-18**  
**DATE: October 31, 2018**

**PETITIONER: Dane Crowder**  
**800 E. Grimes Lane, Bloomington**

**REQUEST:** The petitioner is requesting conditional use approval to allow the construction of a detached accessory building to be used as an accessory dwelling unit in the Residential Core (RC) zoning district.

**REPORT:** This 0.17 acre (7,392 sq. ft.) site is located at 800 E. Grimes Lane. The property is zoned Residential Core (RC). The site currently contains one single family residence. The petitioner is requesting conditional use approval in order to allow a detached garage to be constructed that will have an Accessory Dwelling Unit on the second floor.

The proposed new garage would have one driveway onto Stull Avenue. There is an existing driveway on the property that would have to be removed with the new construction of the garage. The new garage would meet the 5' sideyard setback requirements.

The petitioner attended the Bryan Park Neighborhood Association to gather any concerns from the Neighborhood Association and there were no strong concerns expressed for this request. The adjacent neighbor to the south did express a desire to have additional landscaping installed and the petitioner will work with them on addressing this concern. No other issues or complaints with the petition were received from any adjacent neighbors.

**ACCESSORY DWELLING UNIT ISSUES:**

Section 20.05.0333 outlines the particular standards required for Accessory Dwelling Units in single-family residential zoning districts in Bloomington.

The petition meets all of the standards of Section 20.05.0333.

**Setbacks:** The proposed structure will be located approximately 5' from both side property lines. Since this is a corner lot, there is no rear property line.

Site Standards	Allowed	Proposed
Maximum Number	1 per lot	1
Number of Residents	One Family per lot	One Family or 3 unrelated per lot
Minimum Lot Size	7,200 square feet	7,392 sq. ft.
Proximity	At least 300 feet from approved ADU	No approved ADU's within 300'
Owner Occupancy	Required on Lot	Owner in House

Design Standards	Allowed	Proposed
Maximum Square Footage	440 square feet	430 square feet
Maximum Bedrooms	1	1
<b>Minimum Setbacks</b>		
Front	Same as Dwelling	10 feet behind house
Side	5 feet	5 feet
Side	5 feet	5 feet
Maximum Height	20 feet	20 feet

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## Criteria and Findings for Conditional Use Permits

### 20.05.023 Standards for Conditional Use Permits

No Conditional Use approval shall be granted unless the petitioner shall establish that the standards for the specific Conditional Use are met and that the following general standards are met.

- 1. The proposed use and development must be consistent with the Growth Policies Plan and may not interfere with the achievement of the goals and objectives of the Growth Policies Plan;*

**Proposed Finding:** This site is designated as Urban Residential in the Growth Policies Plan. The GPP envisions some neighborhood-serving commercial in the Urban Residential areas, with the main focus of the district being protection of existing single-family housing stock. The proposal for an ADU does not interfere with the goals and objectives of the GPP and furthers what was desired by the community through the recent adoption of legislation to allow ADU's. This project involves the reuse of an existing non-residential structure and does not permit the conversion of a single family home to multi-family or commercial. Continued preservation of this structure is consistent with GPP goals.

- 2. The proposed use and development will not create nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights;*

**Proposed Finding:** The proposed use will not create a nuisance. The structure currently exists on the site and no known nuisance exists or have been reported. The use on the site will take place completely indoors. No smoke, odors, vibrations, or objectionable lights are typically associated with a residential use.

- 3. The proposed use and development will not have an undue adverse impact upon the adjacent property, the character of the area, or the public health, safety and general welfare;*

**Proposed Finding:** No adverse impacts to the adjacent properties or character of the area will occur as a result of this petition. The overall use of the property for a single family residential use will continue to take place within the accessory structure

on the site. The limits on occupancy for the property minimizes impacts to the adjacent properties. No additional buildings are proposed.

4. *The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, stormwater management structures, and other services, or that the applicant will provide adequately for such services;*

**Proposed Finding:** The site is adequately served by all public utilities. No additional development is proposed.

5. *The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;*

**Proposed Finding:** The limit on occupancy imposed with the ADU standards insures that the maximum occupancy on the property does not exceed that of a typical residential property. There is ample parking on site for both the house and accessory dwelling unit with a driveway in front of the garage plus parking within the garage, and no significant amounts of traffic will be generated by the one-bedroom ADU unit.

6. *The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance;*

**Proposed Finding:** The ADU will have no significant effect on the natural, scenic, or historic features of the parcel or area. The house is not located in a historic district.

7. *The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*

**Proposed Finding:** There will be no nuisance to the neighborhood from the proposed ADU operation.

8. *Signage shall be appropriate to both the property under consideration and to the surrounding area. Signage that is out of character, in the Board of Zoning Appeal's determination, shall not be approved.*

**Proposed Finding:** No signage is allowed for the ADU.

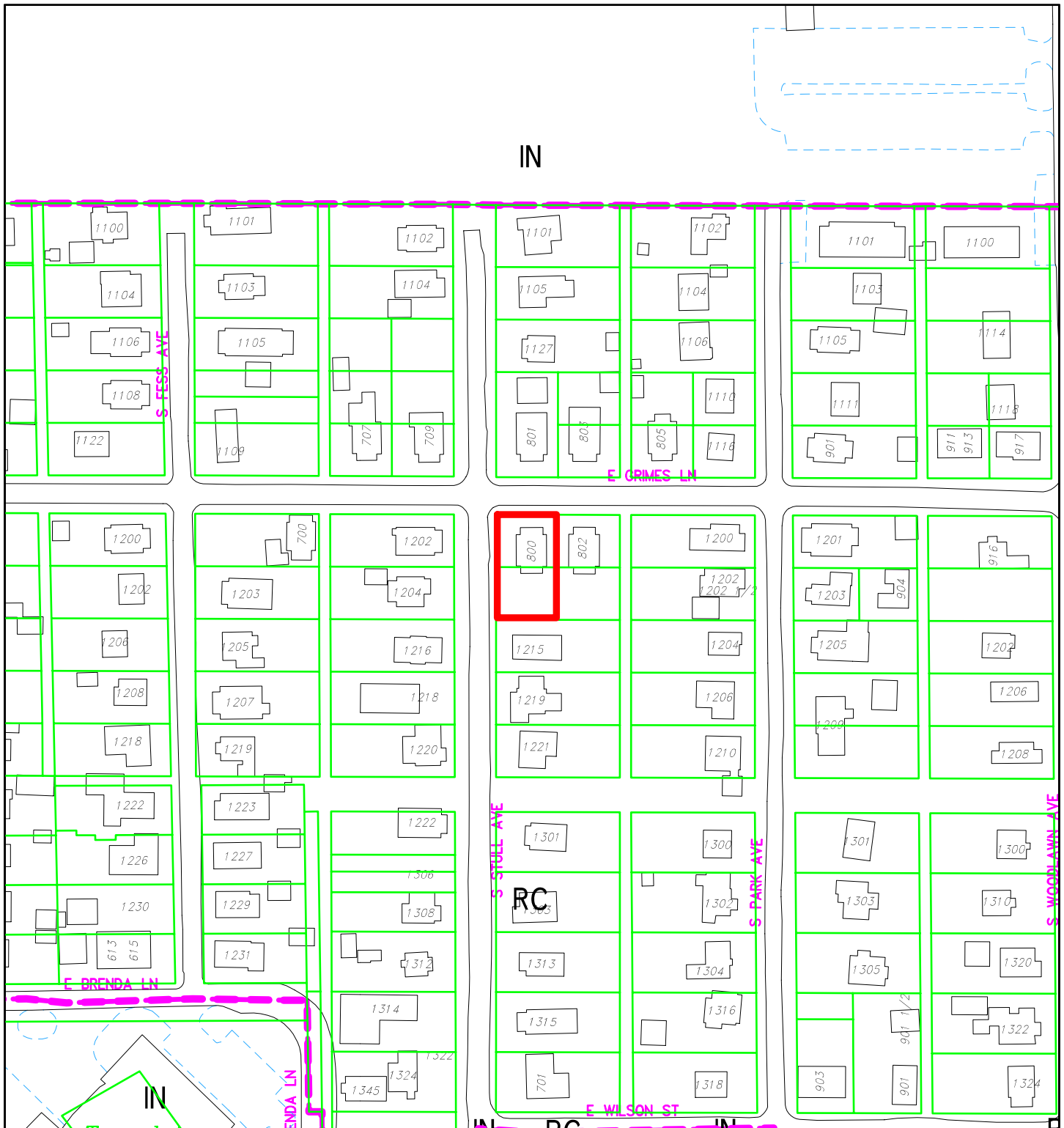
9. *The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; CU: Conditional Use Standards.*

**Proposed Finding:** The proposed use complies with all other standards of the UDO.

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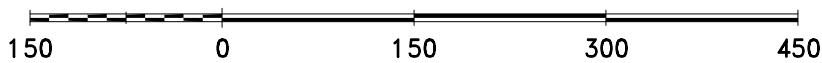
**RECOMMENDATION:** The Department recommends that the Hearing Officer adopt the proposed findings and approve CU-35-18 with the following conditions:

1. The Conditional Use is approved for the existing accessory structure as submitted.
2. Petitioner shall record a commitment to satisfy 20.05.0333(I), indicating that the ADU cannot be sold separately from the primary unit and that the conditional use approval shall only be in effect as long as the owner(s) of record occupies either the house or the ADU as his or her primary residence. If the ADU approval is revoked at any time, the ADU must be removed from the property.
3. Petitioner shall submit a copy of the property tax homestead exemption for the property.
4. The garage must be reduced in size to be no greater than 580 square feet.
5. The existing driveway to the house must be removed with the construction of the detached garage.



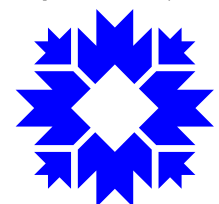
CU-35-18 Dane Crowder  
 800 E Grimes Lane  
 Hearing Officer  
 Site Location, Zoning, Parcels

By: greulice  
 26 Oct 18

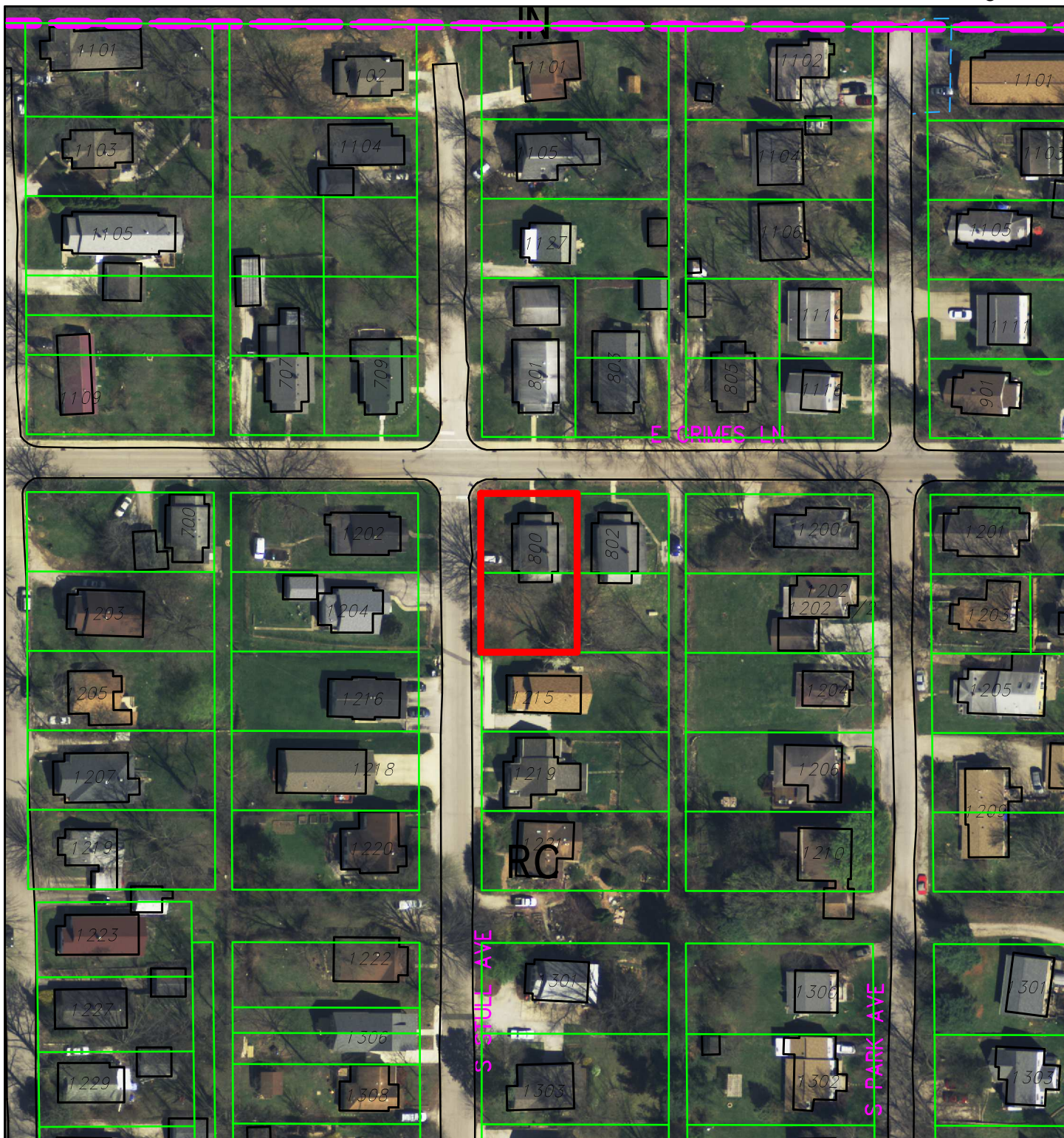


For reference only; map information NOT warranted.

City of Bloomington  
 Planning & Transportation



Scale: 1" = 150'



CU-35-18 Dane Crowder

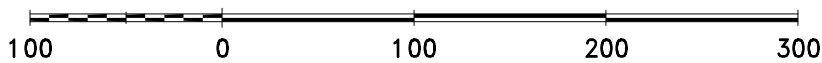
800 E Grimes Lane

Hearing Officer

2016 Aerial Photograph

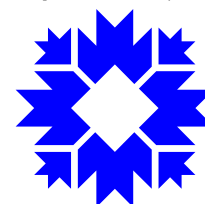
By: greulice

26 Oct 18



For reference only; map information NOT warranted.

City of Bloomington  
Planning & Transportation



Scale: 1" = 100'



Sept 19 2018

My name is Dane Crowder and I am applying for a approval from the BZA to build a garage with a accessory dwelling unit (ADU) at 800 East Grimes, Bloomington IN.

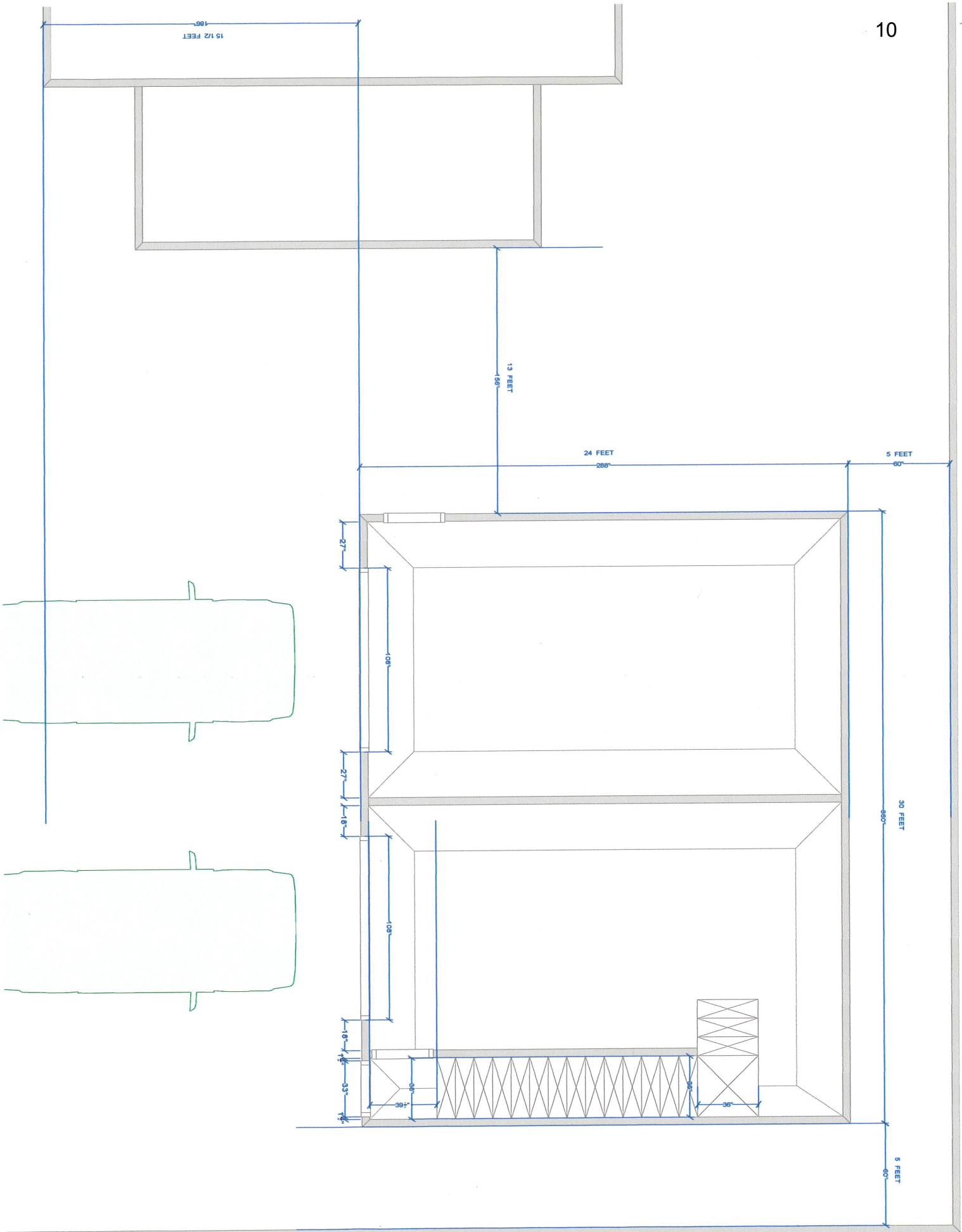
My wife and I recently purchased 800 E. Grimes Lane. We live there with our two daughters.

We are excited about our new home and location proximity to Bryan park.

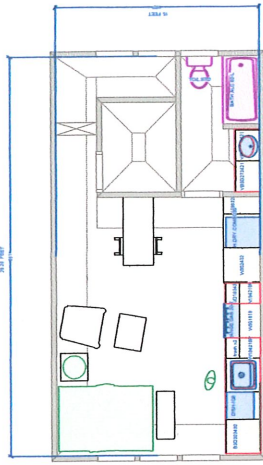
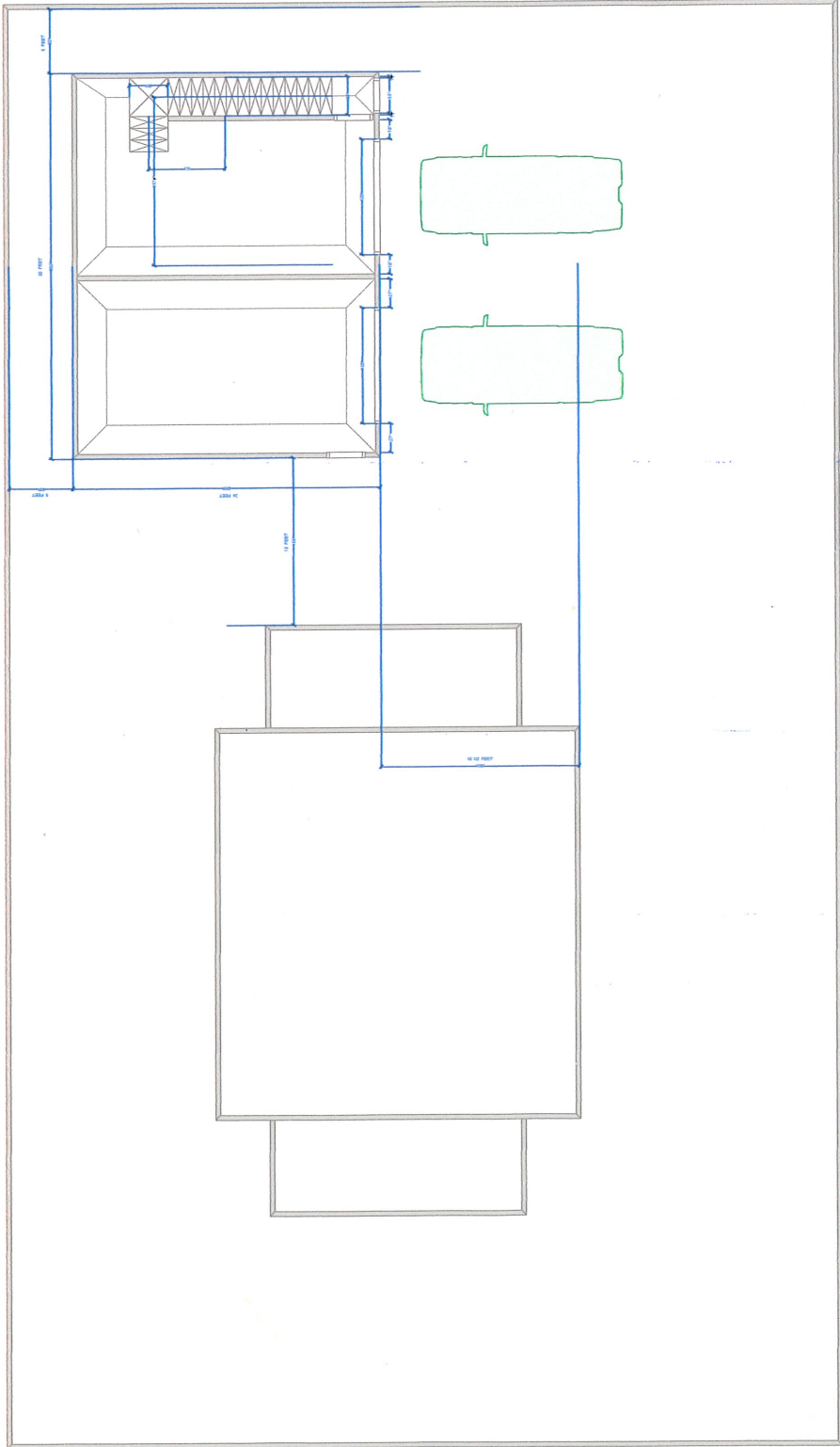
We have designed a wonderful 2 car garage with a dwelling unit above we feel compliments and adds to the character of our neighborhood.

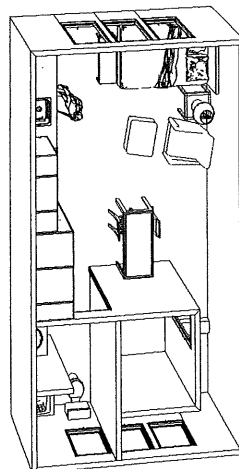
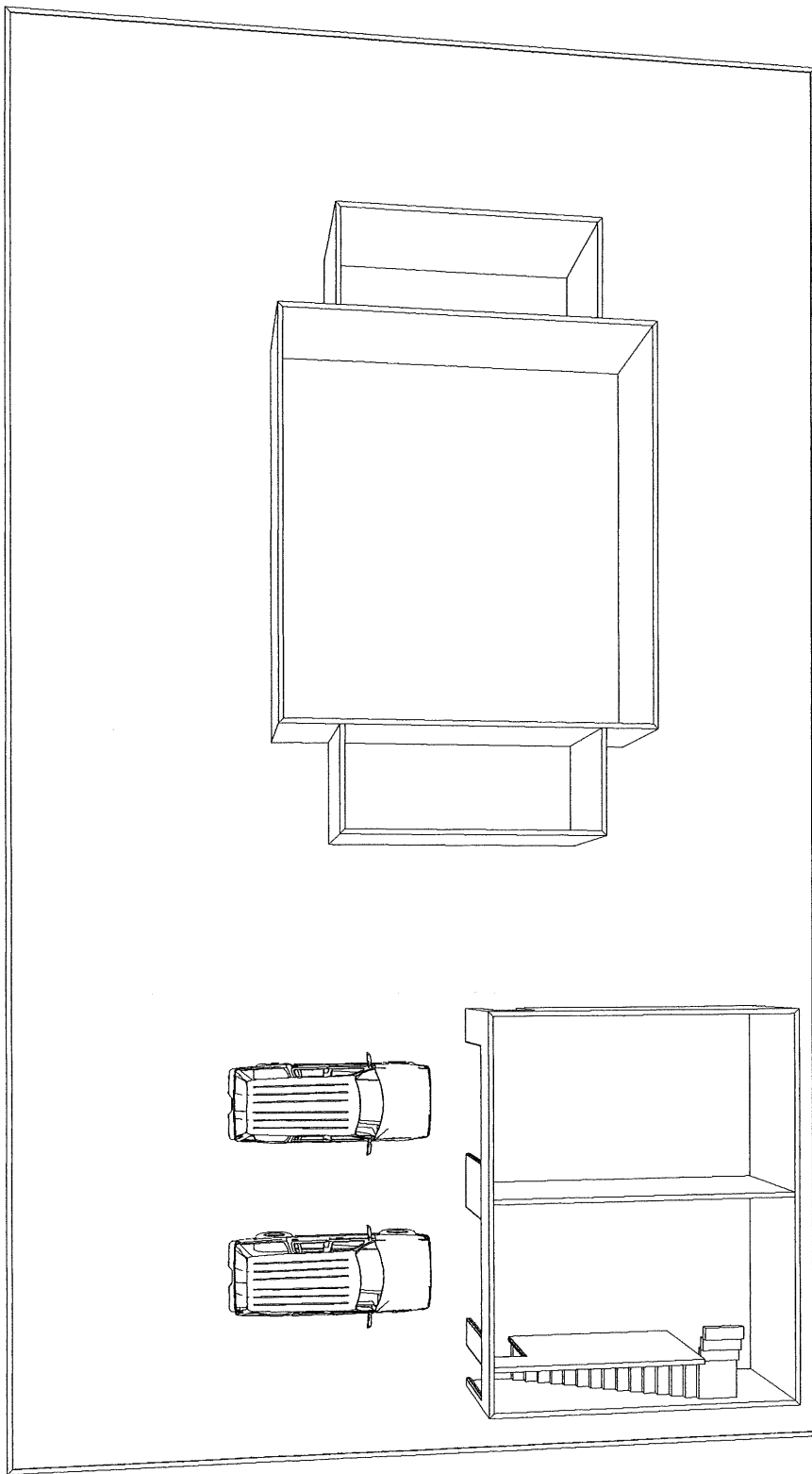
We are moving back to Bloomington after moving away for my wife's pediatric medical residency and are enthusiastic to become involved in our Bloomington neighborhood and community once again.

Thank you, Dane Crowder  
danecrowder@gmail.com



lot size  
111'6"  
7198 sq ft  
64.6'





29.25 FEET

351"

15 FEET

180"

